

## TITLE 50.—WAR

## Chapter 2.—BOARD OF ORDNANCE AND FORTIFICATIONS.

## ★ Section 11. Compensation and duties of board.—

This chapter relates to the Bureau of Ordnance and Fortification and in the opinion of the Secretary of War the authority of the board expired with the expiration of the appropriations provided in this section, unless its language can be construed as permanent legislation.

## ★ 12. Civilian member of board.—

See note to § 11 of this title.

## ★ 13. Additional members of board selected from Army.—

See note to § 11 of this title.

## ★ 14. Disqualification for membership of board.—

See note to § 11 of this title.

## ★ 15. Purchases, investigations, and tests.—

See note to § 11 of this title.

## Chapter 4.—ESPIONAGE.

## ★ Section 31. Unlawfully obtaining or permitting to be obtained information affecting national defense.—

"(a)" should precede "whoever" in line 2 of this section.

## ★ 38. Jurisdiction of courts-martial and military commissions.—

"chapter 12 of Title 33" in line 5 of this section should read "chapter 21 of Title 34."

## Chapter 5.—ARSENALS, ARMORIES, ARMS, AND WAR MATERIAL GENERALLY.

## ★ Section 54. Account of cost of type and experimental manufacture of guns, and so forth.—

"56" in line 8 of this section should read "53."

**62b. Loss of rifles loaned to organizations of honorably discharged soldiers, etc.; relief from liability on bonds.**—The Secretary of War is hereby authorized, at his discretion, in proper cases to relieve posts or camps of organizations composed of honorably discharged soldiers, sailors, or marines, and sureties on bonds, from liability on account of the loss or destruction of obsolete or condemned Army rifles, slings, and cartridge belts loaned by the Secretary of War under authority of section 62 of this title, when there is conclusive evidence that the loss has not occurred through negligence. (Dec. 15, 1926, c. 10, 44 Stat. 922.)

The Resolution cited to the text was entitled, "Joint Resolution relieving posts or camps of organizations composed of honorably discharged soldiers, sailors, or marines from liability on account of loss or destruction of obsolete rifles loaned by the War Department."

**67. Loan or gift of condemned ordnance to soldiers' monument associations.**—The Secretary of War and the Secretary of the Navy are each hereby authorized, in their discretion, to loan or give to soldiers' monument associations, posts of the Grand Army of the Republic, posts of the American Legion, and other recognized war veteran associations, State museums, and municipal corporations condemned or obsolete ordnance, guns, projectiles, and other condemned or obsolete material which may not be needed in the service of either of said departments. (As amended May 20, 1928, c. 785, 45 Stat. 773.)

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**80. Procurement of war material; mobilization of industries.—**

"§ 20, 130 Stat." in citation to this section should read "§ 120, 30 Stat."

**81. Military surveys and maps.—**

This section was substantially repeated in the War Department Appropriation Acts of Apr. 15, 1920, c. 146, Title I, 44 Stat. 272, Feb. 23, 1927, c. 167, Title I, 44 Stat. 1123, and Mar. 23, 1928, c. 232, § 1, 45 Stat. 342.

Probably superseded by § 81a of this title.

**81a. Military surveys and maps; assistance of mapping agencies of government.**—In the execution of topographic and other surveys the securing of extra topographic data, the preparation and printing of maps required for military purposes, in the research and development of surveying by means of aerial photography, and in field reproduction methods, the Secretary of War is authorized to secure the assistance, whenever practicable, of the United States Geological Survey, the Coast and Geodetic Survey, or other mapping agencies of the Government. (May 14, 1928, c. 544, 45 Stat. 509.)

The Act cited to the text was entitled "An Act to authorize mapping agencies of the Government to assist in preparation of military maps."

**82. Procurement of ships and material during war; changes in contracts; commandeering factories, etc.**—(a) The word "person" as used in paragraphs (b), (c), next hereafter shall include any individual, trustee, firm, association, company, or corporation. The word "ship" shall include any boat, vessel, submarine, or any form of aircraft, and the parts thereof. The words "war material" shall include arms, armament, ammunition, stores, supplies, and equipment for ships and airplanes, and everything required for or in connection with the production thereof. The word "factory" shall include any factory, workshop, engine works, building used for manufacture, assembling, construction, or any process, and any shipyard or dockyard. The words "United States" shall include the Canal Zone and all territory and waters, continental and insular, subject to the jurisdiction of the United States.

(b) In time of war the President is hereby authorized and empowered, in addition to all other existing provisions of law:

First. Within the limits of the amounts appropriated therefor, to place an order with any person for such ships or war material as the necessities of the Government, to be determined by the President, may require and which are of the nature, kind, and quantity usually produced or capable of being produced by such person. Compliance with all such orders shall be obligatory on any person to whom such order is given, and such order shall take precedence over all other orders and contracts theretofore placed with such person. If any person owning, leasing, or operating any factory equipped for the building or production of ships or war material for the Navy shall refuse or fail to give to the United States such preference in the execution of such an order, or shall refuse to build, supply, furnish, or manufacture the kind, quantity, or quality of ships or war material so ordered at such reasonable price as shall be determined by the President, the President may take immediate possession of any factory of such person, or of any part thereof without taking possession of the entire factory, and may use the same at such times and in such manner as he may consider necessary or expedient.

Second. Within the limit of the amounts appropriated therefor, to modify or cancel any existing contract for the building, production, or purchase of ships or war material; and if any contractor shall refuse or fail to comply with the contract as so modified the President may take immediate possession of any factory of such contractor, or any part thereof without taking possession of the entire factory, and may use the same at such